



**Montana Fish,
Wildlife & Parks**

Region 2 Headquarters
3201 Spurgin Road
Missoula, MT 59804-3101
June 9, 2005

Governor's Office, Attn: Mike Volesky, PO Box 200801, Helena, MT 59620-0801
Environmental Quality Council, PO Box 201704, Helena, MT 59620-1704
*Dept. of Environmental Quality, PO Box 200901, Helena, MT 59620-0901
*Dept. of Natural Resources & Conservation, POB 201601, Helena, MT 59620-1601
*Montana Fish, Wildlife & Parks: Website, Commission Secretary, Division Secretaries, Regional Office
Managers, Region 2 Information Officer
*State Historic Preservation Office, PO Box 201202, Helena, MT 59620-1202
*MT State Library, PO BOX 201800, Helena, MT 59620-1800
MT Environmental Information Center, Attn: Jim Jensen, POB 1184, Helena, MT 59620-1184
Deerlodge Ranger District, 1 Hollenbeck Rd., Deer Lodge, MT 59722
Skyline Sportsmen, PO Box 173, Butte, MT 59703
Anaconda Sportsmen, 2 Cherry, Anaconda, MT 59711
Montana Natural Heritage Center, POB 201800, Helena, MT 59620-1800
Montana Audubon Society, POB 595, Helena 59624-0595
Montana Stockgrowers, 420 N. California, Helena, MT 59601
Montana Wildlife Federation, POB 1175, Helena, MT 59624-1175
Deer Lodge County Weed Supervisor, 800 S. Main, Anaconda, MT 59711
Deer Lodge County Commissioners, 800 S. Main, Anaconda, MT 59711
*Mailed electronically

RECEIVED

JUN 10 2005

LEGISLATIVE ENVIRONMENTAL
POLICY OFFICE

Dear Interested Citizen:

Enclosed you will find the Decision Notice (DN) for a Montana Fish, Wildlife & Parks (MFWP) proposal to acquire a 24.88-acre private inholding within the Garrity Mountain Wildlife Management Area (WMA), west of Anaconda in Deer Lodge County. The purpose will be to consolidate WMA holdings and allow for consistent management for ungulate winter range, as well as enhancing the watershed and public recreational opportunities.

This DN is available in Helena at MFWP's Headquarters, the State Library and the Environmental Quality Council. It also may be obtained from the Region 2 MFWP Headquarters or viewed on MFWP's Internet website at <http://fwp.mt.gov> ("Recent Public Notices").

The Montana Fish, Wildlife & Parks Commission has the final decision-making authority for MFWP land purchase proposals, and the Commission will be asked to render final decision on this proposal at its July 7 meeting in Great Falls.

Sincerely,

Mack Long
Regional Supervisor

ML/sr

Enclosure: Garrity Mountain WMA Inholding DN

DECISION NOTICE
Acquisition of Garry Mountain Inholding
June 9, 2005

Proposal

Montana Fish, Wildlife and Parks (FWP) proposes to purchase fee title and accept management responsibilities to a 24.88-acre private inholding within the Garry Mountain Wildlife Management Area (WMA) west of Anaconda in Deer Lodge County. The land is described as the Soledad and Iron Clad Lode Patented Mining Claims located in Sections 28 and 33, T5N, R12W. Funding for this project would be provided through Habitat Montana funds derived from the sale of hunting license fees.

The purpose of this acquisition is to place this property under public ownership to ensure that the integrity of the Garry Mountain WMA and the habitat that it provides are not compromised by activities that could occur on a private parcel within its boundaries. This acquisition would consolidate WMA holdings and allow for consistent management of ungulate winter range, as well as enhancing the watershed and public recreational opportunities.

Montana Environmental Policy Act (MEPA) Process

MFWP prepared an Environmental Assessment (EA) pursuant to MEPA. MFWP made this document available during a 31-day public comment period that began on May 4, 2005 and ended on June 3, 2005. MFWP advertised the public comment period on the proposed project by legal notices entitled "Public Comment Sought" and "Public Meeting" (Appendix 1). Verification of the publication has been received from the *Independent Record* (May 1, 2005), *Montana Standard* (May 1, 2005), *Anaconda Leader* (May 4 and May 13, 2005), *Missoulian* (May 1, 2005), and the *Great Falls Tribune* (May 1, 2005). This document was available in its entirety on MFWP's Internet web site (www.fwp.mt.gov) for the duration of the comment period. MFWP distributed copies of the documentation immediately before the comment period began, at the public meeting in Anaconda, and responded to additional requests as they were received. A copy of the EA was sent to the following persons or organizations for review:

Governor's Office, Attn: Mike Volesky, PO Box 200801, Helena, MT 59620-0801

Environmental Quality Council, PO Box 201704, Helena, MT 59620-1704

*Dept. of Environmental Quality, PO Box 200901, Helena, MT 59620-0901

*Dept. of Natural Resources & Conservation, POB 201601, Helena, MT 59620-1601

*Montana Fish, Wildlife & Parks:

Website, Commission Secretary, Division Secretaries, Regional Office Managers, Region 2 Information Officer

*State Historic Preservation Office, PO Box 201202, Helena, MT 59620-1202

*MT State Library, PO BOX 201800, Helena, MT 59620-1800

MT Environmental Information Center, Attn: Jim Jensen, POB 1184, Helena, MT 59624-1184

Deerlodge Ranger District, 1 Hollenbeck Rd., Deer Lodge, MT 59722

Skyline Sportsmen, PO Box 173, Butte, MT 59703

Anaconda Sportsmen, 2 Cherry, Anaconda, MT 59711

Montana Natural Heritage Center, POB 201800, Helena, MT 59620-1800
Montana Audubon Society, POB 595, Helena 59624-0595
Montana Stockgrowers, 420 N. California, Helena, MT 59601
Montana Wildlife Federation, POB 1175, Helena, MT 59624-1175
Deer Lodge County Weed Supervisor, 800 S. Main, Anaconda, MT 59711
Deer Lodge County Commissioners, 800 S. Main, Anaconda, MT 59711

*Mailed electronically

A public hearing on the acquisition of this inholding was conducted by MFWP in Anaconda on May 18, 2005 at 6:30 pm at the Ancient Order of Hibernarians Hall (AOH), and was attended by 17 individuals.

Summary of Public Comment

Seventeen citizens and 4 MFWP personnel attended the public hearing on May 18, 2005 in Anaconda. Two individuals testified at the hearing, one representing the Anaconda Sportsmen's Club and one representing the Skyline Sportsmen's Club in Butte. Both spoke in favor of the project. When asked by the President of the Anaconda Sportsmen's Club if the others in attendance were in favor, the other 15 in the audience raised their hands in support.

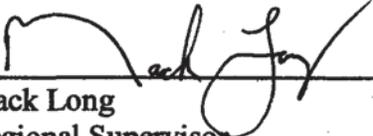
No written or other comments were received by the end of the comment period.

Decision

Utilizing the environmental assessment and public comment, a decision must be rendered by MFWP, which addresses the concerns and issues identified for the proposed project. In light of public comments and internal agency review, I accept the draft environmental assessment as final. The proposed acquisition received support from all in attendance at the public hearing in Anaconda, and no other comments have been received.

FWP recognizes the value of acquiring inholdings within WMAs when the opportunity arises. With the approval of this acquisition the property will continue to provide valuable wildlife habitat without the threat of development that may occur if this parcel were to be sold to a private party. No adverse effects are expected on the diversity or abundance of game species, non-game species or threatened and endangered species. Public access and recreational opportunities would be preserved.

In consideration of these facts, I am pleased to recommend that the Fish, Wildlife and Parks Commission approve the acquisition of the Garrity Mountain WMA inholding as proposed.



Mack Long
Regional Supervisor
Missoula, MT
June 9, 2005

APPENDIX 1. CONTENT OF LEGAL NOTICES

The following notice appeared in all 5 newspapers (either on May 1 or May 4, 2005):

PUBLIC COMMENT SOUGHT

Montana Fish, Wildlife & Parks (FWP) seeks public review of its proposal to acquire a 24.88-acre private inholding within the Garrity Mountain Wildlife Management Area (WMA), west of Anaconda in Deer Lodge County. The purpose would be to consolidate WMA holdings and allow for consistent management for ungulate winter range, as well as enhancing the watershed and public recreational opportunities. A draft environmental assessment (EA) has been prepared, and the decision authority will be Region 2 FWP's Regional Supervisor. FWP will hold a public hearing in Anaconda on May 18 (Wednesday) at 6:30 PM at the Ancient Order of the Hibernarians Hall. The EA may be obtained by mail from Region 2 FWP, 3201 Spurgin Rd., Missoula 59804; by phoning 542-5500; by emailing shrose@mt.gov; or by viewing FWP's Internet website www.fwp.mt.gov ("Recent Public Notices"). Comments will be accepted through June 3, 2005.

The following notice also appeared in the *Anaconda Standard* (May 13, 2005):

Public Meeting

Montana Fish, Wildlife & Parks (FWP) will hold a public hearing in Anaconda on May 18, 2005 (Wednesday) at 6:30 PM at the Ancient Order of the Hibernarians Hall. The meeting will discuss and take public comment on FWP's proposal to acquire a 24.88-acre private inholding within the Garrity Mountain Wildlife Management Area (WMA), west of Anaconda in Deer Lodge County. Acquiring the inholding would consolidate WMA holdings and allow for consistent management for ungulate winter range, as well as enhancing the watershed and public recreational opportunities. A draft environmental assessment (EA) has been prepared. The EA may be obtained by mail from Region 2 FWP, 3201 Spurgin Rd., Missoula 59804; by phoning 542-5500; by emailing shrose@mt.gov; or by viewing FWP's Internet website www.fwp.mt.gov ("Recent Public Notices"). Comments will be accepted through June 3, 2005.